

**HB 1476 - S AMD 445**

By Senators Hatfield, Jacobsen, Prentice, Morton

ADOPTED 04/12/2007

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that:

4 (a) Seven rockfish stocks, including canary and yelloweye rockfish,  
5 have been designated under federal law by the national marine fisheries  
6 services as overfished on the west coast.

7 (b) The department of fish and wildlife has classified certain  
8 rockfish species within Puget Sound as critically depressed. These  
9 common species of rockfish have undergone dramatic declines in Puget  
10 Sound and the coast during the past three decades.

11 (c) The Pacific fishery management council and the department of  
12 fish and wildlife have eliminated the directed commercial fisheries and  
13 greatly reduced the recreational fishing opportunity for these species.

14 (d) Due to the interactions of these depleted stocks with the  
15 healthier ones, commercial and recreational fisheries have been  
16 severely constrained in recent years in order to rebuild the  
17 populations of these overfished rockfish. For many of these stocks  
18 there have been no recent stock assessments, or the current assessments  
19 are based on poor data. Improved survey information is essential for  
20 assessing abundance and to monitor progress toward rebuilding efforts  
21 on the coast and in Puget Sound.

22 (e) Department of fish and wildlife staff have been developing  
23 underwater robot technology or remote operated vehicles to  
24 scientifically estimate the abundance of rockfish populations in both  
25 the nearshore and in deep waters. These new assessment techniques,  
26 coupled with existing bottom trawl surveys, will be used to estimate  
27 current abundance and future recovery of rockfish populations along the  
28 coast of Washington and in Puget Sound.

29 (2) Therefore, the legislature intends to implement a targeted  
30 surcharge on commercial licenses issued by the department of fish and

1 wildlife that provides for the retention or landing of ground fish, and  
2 a targeted surcharge on recreational saltwater fishing licenses. Funds  
3 derived from the surcharge will be used by the department of fish and  
4 wildlife solely for the purpose of conducting rockfish research and  
5 stock assessments.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW  
7 to read as follows:

8 (1) The department is directed to develop and implement a rockfish  
9 research and stock assessment program. Using funds from the rockfish  
10 research account created in subsection (2) of this section, the  
11 department must conduct Puget Sound basin and coastal surveys with new  
12 and existing technology to estimate the current abundance and future  
13 recovery of rockfish populations and other groundfish species. The  
14 stock assessment must include an evaluation of the potential for marine  
15 fish enhancement. Beginning December 2008, and every two years  
16 thereafter, the department shall report to the appropriate committees  
17 of the legislature on the status of the stock assessment program.

18 (2) The rockfish research account is created in the custody of the  
19 state treasurer. All receipts from surcharges assessed on commercial  
20 and recreational fishing licenses for the purposes of rockfish research  
21 must be deposited into the account. Expenditures from the account may  
22 be used only for rockfish research, including stock assessments. Only  
23 the director of the department or the director's designee may authorize  
24 expenditures from the account. The account is subject to allotment  
25 procedures under chapter 43.88 RCW, but an appropriation is not  
26 required for expenditures.

27 **Sec. 3.** RCW 77.65.150 and 2006 c 186 s 1 are each amended to read  
28 as follows:

29 (1) The director shall issue the charter licenses and angler  
30 permits listed in this section according to the requirements of this  
31 title. The licenses and permits and their annual fees and surcharges  
32 are:

33

		Annual Fee		
		(RCW 77.95.090 Surcharge)		Governing
License or Permit		<u>(Section 2 of this act Surcharge)</u>		Section
		Resident	Nonresident	
5	(a) Nonsalmon charter	\$225	\$375	
6		<u>(plus \$35 for section 2</u>	<u>(plus \$35 for section 2 of</u>	
7		<u>of this act Surcharge)</u>	<u>this act Surcharge)</u>	
8	(b) Salmon charter	\$380	\$685	RCW 77.70.050
9		(plus \$100)	(plus \$100)	
10		<u>(plus \$35 for section 2</u>	<u>(plus \$35 for section 2 of</u>	
11		<u>of this act Surcharge)</u>	<u>this act Surcharge)</u>	
12	(c) Salmon angler	\$ 0	\$ 0	RCW 77.70.060
13	(d) Salmon roe	\$ 95	\$ 95	RCW 77.65.350

14 (2) A salmon charter license designating a vessel is required to  
15 operate a charter boat from which persons may, for a fee, fish for  
16 salmon, other food fish, and shellfish. The director may issue a  
17 salmon charter license only to a person who meets the qualifications of  
18 RCW 77.70.050.

19 (3) A nonsalmon charter license designating a vessel is required to  
20 operate a charter boat from which persons may, for a fee, fish for food  
21 fish other than salmon, albacore tuna, and shellfish.

22 (4)(a) "Charter boat" means a vessel from which persons may, for a  
23 fee, fish for food fish or shellfish for personal use in those state  
24 waters set forth in (b) of this subsection. "Charter boat" also means  
25 a vessel from which persons may, for a fee, fish for food fish or  
26 shellfish for personal use in offshore waters or in the waters of other  
27 states. The director may specify by rule when a vessel is a "charter  
28 boat" within this definition.

29 (b) A person may not operate a vessel from which persons may, for  
30 a fee, fish for food fish or shellfish in Puget Sound, Grays Harbor,  
31 Willapa Bay, Pacific Ocean waters, Lake Washington, or the Columbia  
32 river below the bridge at Longview unless the vessel is designated on  
33 a charter boat license.

34 (5) A charter boat licensed in Oregon may fish without a Washington  
35 charter license under the same rules as Washington charter boat  
36 operators in ocean waters within the jurisdiction of Washington state  
37 from the southern border of the state of Washington to Leadbetter

1 Point, as long as the Oregon vessel does not take on or discharge  
2 passengers for any purpose from any Washington port, the Washington  
3 shore, or a dock, landing, or other point in Washington. The  
4 provisions of this subsection shall be in effect as long as the state  
5 of Oregon has reciprocal laws and regulations.

6 (6) A salmon charter license under subsection (1)(b) of this  
7 section may be renewed if the license holder notifies the department by  
8 May 1st of that year that he or she will not participate in the fishery  
9 during that calendar year. The license holder must pay the one  
10 hundred-dollar enhancement surcharge and a thirty-five dollar surcharge  
11 to be deposited in the rockfish research account created in section 2  
12 of this act, plus a fifteen-dollar handling charge, in order to be  
13 considered a valid renewal and eligible to renew the license the  
14 following year.

15 **Sec. 4.** RCW 77.65.210 and 2005 c 20 s 4 are each amended to read  
16 as follows:

17 (1) Except as provided in subsection (2) of this section, a person  
18 may not use a commercial fishing vessel to deliver food fish or  
19 shellfish taken for commercial purposes in offshore waters to a port in  
20 the state without a nonlimited entry delivery license. As used in this  
21 section, "deliver" and "delivery" mean arrival at a place or port, and  
22 include arrivals from offshore waters to waters within the state and  
23 arrivals ashore from offshore waters. As used in this section, "food  
24 fish" does not include salmon. As used in this section, "shellfish"  
25 does not include ocean pink shrimp, coastal crab, or fish or shellfish  
26 taken under an emerging commercial fisheries license if taken from off-  
27 shore waters. The annual license fee for a nonlimited entry delivery  
28 license is one hundred ten dollars for residents and two hundred  
29 dollars for nonresidents, and an additional thirty-five dollar  
30 surcharge for both residents and nonresidents to be deposited in the  
31 rockfish research account created in section 2 of this act.

32 (2) Holders of salmon troll fishery licenses issued under RCW  
33 77.65.160, salmon delivery licenses issued under RCW 77.65.170, crab  
34 pot fishery licenses issued under RCW 77.65.220, food fish trawl--Non-  
35 Puget Sound fishery licenses, and emerging commercial fishery licenses  
36 issued under RCW 77.65.200, Dungeness crab--coastal fishery licenses,  
37 ocean pink shrimp delivery licenses, shrimp trawl--Non-Puget Sound

1 fishery licenses, and emerging commercial fishery licenses issued under  
2 RCW 77.65.220 may deliver food fish or shellfish taken in offshore  
3 waters without a nonlimited entry delivery license.

4 (3) A nonlimited entry delivery license authorizes no taking of  
5 food fish or shellfish from state waters.

6 **Sec. 5.** RCW 77.32.470 and 2005 c 192 s 1 are each amended to read  
7 as follows:

8 (1) A personal use saltwater, freshwater, combination, temporary,  
9 or family fishing weekend license is required for all persons fifteen  
10 years of age or older to fish for or possess fish taken for personal  
11 use from state waters or offshore waters.

12 (2) The fees for annual personal use saltwater, freshwater, or  
13 combination licenses are as follows:

14 (a) A combination license allows the holder to fish for or possess  
15 fish, shellfish, and seaweed from state waters or offshore waters. The  
16 fee for this license is thirty-six dollars for residents, seventy-two  
17 dollars for nonresidents, and five dollars for youth. There is an  
18 additional fifty-cent surcharge for this license, to be deposited in  
19 the rockfish research account created section 2 of this act.

20 (b) A saltwater license allows the holder to fish for or possess  
21 fish taken from saltwater areas. The fee for this license is eighteen  
22 dollars for residents, thirty-six dollars for nonresidents, and five  
23 dollars for resident seniors. There is an additional fifty-cent  
24 surcharge for this license, to be deposited in the rockfish research  
25 account created section 2 of this act.

26 (c) A freshwater license allows the holder to fish for, take, or  
27 possess food fish or game fish species in all freshwater areas. The  
28 fee for this license is twenty dollars for residents, forty dollars for  
29 nonresidents, and five dollars for resident seniors.

30 (3)(a) A temporary combination fishing license is valid for one to  
31 five consecutive days and allows the holder to fish for or possess  
32 fish, shellfish, and seaweed taken from state waters or offshore  
33 waters. The fee for this temporary fishing license is:

34 (i) One day - Seven dollars for residents and fourteen dollars for  
35 nonresidents;

36 (ii) Two days - Ten dollars for residents and twenty dollars for  
37 nonresidents;

1 (iii) Three days - Thirteen dollars for residents and twenty-six  
2 dollars for nonresidents;

3 (iv) Four days - Fifteen dollars for residents and thirty dollars  
4 for nonresidents; and

5 (v) Five days - Seventeen dollars for residents and thirty-four  
6 dollars for nonresidents.

7 (b) The fee for a charter stamp is seven dollars for a one-day  
8 temporary combination fishing license for residents and nonresidents  
9 for use on a charter boat as defined in RCW 77.65.150.

10 (c) A transaction fee to support the automated licensing system  
11 will be taken from the amounts set forth in this subsection for  
12 temporary licenses.

13 (d) Except for active duty military personnel serving in any branch  
14 of the United States armed forces, the temporary combination fishing  
15 license is not valid on game fish species for an eight-consecutive-day  
16 period beginning on the opening day of the lowland lake fishing season.

17 (e) There is an additional fifty-cent surcharge on the temporary  
18 combination fishing license and the associated charter stamp, to be  
19 deposited in the rockfish research account created in section 2 of this  
20 act.

21 (4) A family fishing weekend license allows for a maximum of six  
22 anglers: One resident and five youth; two residents and four youth; or  
23 one resident, one nonresident, and four youth. This license allows the  
24 holders to fish for or possess fish taken from state waters or offshore  
25 waters. The fee for this license is twenty dollars. This license is  
26 only valid during periods as specified by rule of the department.

27 (5) The commission may adopt rules to create and sell combination  
28 licenses for all hunting and fishing activities at or below a fee equal  
29 to the total cost of the individual license contained within any  
30 combination.

31 NEW SECTION. Sec. 6. This act is necessary for the immediate  
32 preservation of the public peace, health, or safety, or support of the  
33 state government and its existing public institutions, and takes effect  
34 immediately."

**ADOPTED 04/12/2007**

1        On page 1, line 1 of the title, after "licenses;" strike the  
2 remainder of the title and insert "amending RCW 77.65.150, 77.65.210,  
3 and 77.32.470; adding a new section to chapter 77.12 RCW; creating a  
4 new section; and declaring an emergency."

EFFECT: The department of fish and wildlife is required to develop and implement a program that will research and conduct a stock assessment of the rockfish populations in the state. The required rockfish research is funded through a series of surcharges on fishing licenses. Surcharges on commercial licenses are set at \$35. Surcharges on recreational licenses are set at 50 cents.

The revenue generated from the surcharges is to be deposited into the newly created rockfish research account. The account is a nonappropriated account and expenditures may only be authorized by the director of the department. The revenue in the account may be used only for rockfish research, including assessment of stocks.

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